

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

JAMES C. WINDING

PLAINTIFF

VS.

CIVIL ACTION NO. 4:09cv11-JCS

BART GRIMES and CARMELITA TAYLOR

DEFENDANTS

ORDER

This cause is before the court on various motions filed by Plaintiff. Having considered the motions, the court rules as follows.

Plaintiff's motions to compel [35 and 39] and to enforce court order [49] are denied, as Defendants have indicated in their responses that they have now produced all documents ordered to be produced to Plaintiff.

Also before the court is Plaintiff's motion for subpoenas to issue for Sgt. T. Jackson, Captain Dereck Smith, and Warden Bart Grimes [44].

Warden Bart Grimes is a Defendant; thus, there is no need for him to be served with a subpoena, as he will be present at trial.

It is unclear from Plaintiff's motion whether Sgt. T. Jackson and Capt. Dereck Smith are currently employed at EMCF. Defendants are ordered to have them present at trial if they are currently under their control. As an added precaution, however, the court hereby directs the Clerk to issue subpoenas for these witnesses and to forward them to Plaintiff, who shall be responsible for service.

Accordingly, the motion for subpoenas [44] is hereby granted in part and denied in part.

SO ORDERED this the 7<sup>th</sup> day of October, 2009.

/s/ James C. Sumner

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UNITED STATES MAGISTRATE JUDGE